

House Engrossed Senate Bill

FILED

**KEN BENNETT
SECRETARY OF STATE**

State of Arizona
Senate
Fiftieth Legislature
First Regular Session
2011

CHAPTER 134

SENATE BILL 1453

AN ACT

AMENDING TITLE 15, CHAPTER 1, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING
SECTION 15-113; RELATING TO PUBLIC EDUCATIONAL INSTITUTIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 15, chapter 1, article 1, Arizona Revised Statutes,
3 is amended by adding section 15-113, to read:

4 15-113. Rights of parents; public educational institutions;
5 definition

6 A. A PARENT OF A STUDENT IN A PUBLIC EDUCATIONAL INSTITUTION HAS THE
7 RIGHT TO REVIEW LEARNING MATERIALS AND ACTIVITIES IN ADVANCE. A PARENT WHO
8 OBJECTS TO ANY LEARNING MATERIAL OR ACTIVITY ON THE BASIS THAT THE MATERIAL
9 OR ACTIVITY IS HARMFUL MAY REQUEST TO WITHDRAW THAT STUDENT FROM THE ACTIVITY
10 OR FROM THE CLASS OR PROGRAM IN WHICH THE MATERIAL IS USED AND REQUEST AN
11 ALTERNATIVE ASSIGNMENT.

12 B. A CHARTER SCHOOL MAY REQUIRE PARENTS TO WAIVE THE RIGHT TO OBJECT
13 TO LEARNING MATERIALS OR ACTIVITIES PURSUANT TO SUBSECTION A AS A CONDITION
14 OF ENROLLMENT IF THE CHARTER SCHOOL PROVIDES A COMPLETE LIST OF BOOKS AND
15 MATERIALS TO BE USED EACH SCHOOL YEAR BEFORE THE STUDENT ENROLLS. IF THE
16 CHARTER SCHOOL INTRODUCES BOOKS OR MATERIALS THAT WERE NOT DISCLOSED PRIOR TO
17 ENROLLMENT, THE PARENT RETAINS THE RIGHT TO OBJECT TO THOSE MATERIALS
18 PURSUANT TO SUBSECTION A.

19 C. A CHARTER SCHOOL MAY REQUIRE THAT ANY REQUEST TO REVIEW LEARNING
20 MATERIALS OR ACTIVITIES OR TO WITHDRAW THE STUDENT FROM LEARNING MATERIALS OR
21 ACTIVITIES PURSUANT TO SUBSECTION A BE MADE IN WRITING.

22 D. A PUBLIC EDUCATIONAL INSTITUTION SHALL OBTAIN SIGNED, WRITTEN
23 CONSENT FROM A STUDENT'S PARENT OR GUARDIAN BEFORE USING VIDEO, AUDIO OR
24 ELECTRONIC MATERIALS THAT MAY BE INAPPROPRIATE FOR THE AGE OF THE STUDENT.

25 E. FOR THE PURPOSES OF THIS SECTION:

26 1. "OBJECTS TO ANY LEARNING MATERIAL OR ACTIVITY ON THE BASIS THAT IT
27 IS HARMFUL" MEANS OBJECTIONS TO A MATERIAL OR ACTIVITY BECAUSE OF SEXUAL
28 CONTENT, VIOLENT CONTENT, OR PROFANE OR VULGAR LANGUAGE.

29 2. "PUBLIC EDUCATIONAL INSTITUTION" MEANS ANY OF THE FOLLOWING:

30 (a) A SCHOOL DISTRICT, INCLUDING ITS SCHOOLS.

31 (b) A CHARTER SCHOOL.

32 (c) AN ACCOMMODATION SCHOOL.

33 (d) THE ARIZONA STATE SCHOOLS FOR THE DEAF AND THE BLIND.

APPROVED BY THE GOVERNOR APRIL 15, 2011.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 15, 2011.

Passed the House April 7, 20 11,

by the following vote: 38 Ayes,

19 Nays, 3 Not Voting

[Signature]
Speaker of the House

Cheryl Laube
Chief Clerk of the House

Passed the Senate March 14, 20 11,

by the following vote: 22 Ayes,

6 Nays, 2 Not Voting

[Signature]
President of the Senate

Charmian Bullington
Secretary of the Senate

**EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR**

This Bill was received by the Governor this

_____ day of _____, 20____,

at _____ o'clock _____ M.

Secretary to the Governor

Approved this _____ day of

_____, 20____,

at _____ o'clock _____ M.

Governor of Arizona

S.B. 1453

**EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE**

This Bill was received by the Secretary of State

this _____ day of _____, 20____,

at _____ o'clock _____ M.

Secretary of State

SENATE CONCURS IN HOUSE
AMENDMENTS AND FINAL PASSAGE

Passed the Senate April 12, 20 11

by the following vote: 21 Ayes,

8 Nays, 1 Not Voting

[Signature]
President of the Senate

[Signature]
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

12 day of April, 20 11

at 3:30 o'clock P. M.

[Signature]
Secretary to the Governor

Approved this 15th day of

April

at 11:57 o'clock A. M.

[Signature]
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 15th day of April, 20 11

S.B. 1453

at 3:31 o'clock P. M.

[Signature]
Secretary of State